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Crime prevention and criminal justice

African Institute for the Prevention of Crime and the Treatment of Offenders

Report of the Secretary-General*

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* The footnote requested by the General Assembly in its resolution 54/248 was not included in the submission.

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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 55/62 of 4 December 2000 and updates the report submitted to the Assembly at its fifty-fifth session. It focuses on the activities, operations and funding of the African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), and includes proposals for enhancing the capacity of the Institute to implement its programmes and activities designed to strengthen national, subregional and regional mechanisms for crime prevention and criminal justice.

2. Africa has not been spared from the ever-increasing incidence of crime in both traditional and non-traditional forms and at both the national and transnational levels. The proliferation of illicit small and light weapons, with the attendant civil disorders and insecurity, continue to plague many parts of the continent. Drug trafficking, corruption and other forms of transnational crime, particularly organized crime, continue to be among the serious problems to be addressed. Such conditions stifle social progress, paralyse effective administration of criminal justice and strain the capacity of individual countries to cope with the problem. Accordingly, it is important to adopt and strengthen strategies for crime prevention in the region, to promote appropriate training and equipment for law enforcement agencies and the judiciary in African States, and to undertake appropriate research in order to make sound decisions. In view of the transnational nature of crime, regional and subregional cooperation in crime prevention is essential.

3. During 2000 and 2001, the Institute continued to receive political support from its member States, its Governing Board, the Commission on Crime Prevention and Criminal Justice and the General Assembly. The General Assembly's grant enabled the Institute to re-establish the hitherto frozen Professional posts, enabling it to execute its planned activities.

4. The financial situation of the Institute remained precarious, limiting its capacity to fully deliver effective and comprehensive services to African countries as mandated. Notwithstanding continued efforts to mobilize member States' assessed contributions, only insignificant funds were received. However, within its limited resources the Institute still executed some major programmes in crime prevention and control for the benefit of the African countries.

II. Programme activities

A. Governing Board

5. The seventh ordinary session of the Governing Board of the Institute is scheduled to be held in the last quarter of 2001. Nonetheless, the Institute is implementing the programme of work and decisions of the sixth ordinary session of the Board, in close collaboration with the Chairman of the Board.

B. General direction and management

6. The Institute coordinated activities and initiated collaborative action in its training, research, information and documentation programmes. In that context, it successfully implemented a regional survey on illicit trafficking in firearms in Africa, involving the participation of 24 African countries (Benin, Botswana, Burkina Faso, Burundi, Central African Republic, Chad, Comoros, Eritrea, Guinea, Kenya, Liberia, Madagascar, Mozambique, Namibia, Niger, Rwanda, Senegal, Seychelles, South Africa, Swaziland, Uganda, United Republic of Tanzania, Zambia, Zimbabwe), which culminated in the convening of the African Regional Workshop on Illicit Trafficking in Firearms in Africa in Kampala from 11 to 13 June 2001. The Workshop analysed the data collected to chart out an action plan.

7. Project proposals, for which the Institute is in the process of seeking sponsors, have been developed on the following themes: "Trafficking in women and children"; "Cult and crime"; "Prison conditions and human rights"; "Crime and AIDS"; "Juvenile justice"; "Conflict resolution"; "Mob justice"; "Data bank on Crime"; and "UNAFRI institutional capacity-building". These project proposals have taken into consideration the priorities of the United Nations crime prevention programme as well as the needs of its Member States.

8. During the reporting period, all the funded activities of the Institute were timely executed, although they were limited because of budgetary constraints. Following the General Assembly's decision to increase the grant of the Institute to cover the hitherto frozen posts of the Professional staff (training, research and information, and documentation), the said staff have been recruited and are now in post, enhancing its delivery capacity.

9. The host Government continued to be of invaluable assistance. It has in many ways facilitated the smooth execution of the work of the Institute as well as endeavouring to strengthen its political support in the region and beyond.

C. Crime prevention and criminal justice activities

10. The Institute performed below its optimal capacity due to financial constraints following the failure of the member States to pay their annual contributions. The executed projects were done mainly through the financial assistance of the Departments of Justice and State of the Government of the United States of America.

1. Extradition and mutual legal assistance in Africa

11. As a follow up to the final phase of this project, undertaken as an aspect of the Institute's continuing technical cooperation and partnership with the Departments of Justice and State of the Government of the United States of America, the Organization of African Unity (OAU) Council of Ministers, at its seventy-second ordinary session, held in Lomé from 4 to 6 July 2000, in its decision CM/Dec.540/Rev.1 (LXXII), requested the OAU Secretary-General to organize a meeting of African Ministers of justice and legal experts to discuss (a) the draft African convention on extradition and (b) the draft African convention on mutual legal assistance in criminal matters before submission to the OAU summit. The meeting of legal experts was convened in Addis Ababa from 2 to 6 April 2001, with the participation of UNAFRI, which serviced the meeting; the meeting approved the extradition convention, which is now pending consideration and approval by the meeting of attorneys-general/ministers of justice and thereafter by the Council of Ministers in February 2002 and finally by the next OAU summit, which is expected to convene in July 2002. The draft convention on mutual legal assistance will be considered at another OAU meeting of legal experts/attorneys-general and ministers of justice before being submitted to the Council of Ministers.

2. Trafficking in firearms and ammunition in Africa

12. This project is also part of the continuing technical cooperation and partnership of the Institute with the Government of the United States through its Department of State. The second phase of the project, namely, data collection, analysis and preparation of the report, was completed in May 2001.

13. The third phase of the project — the convening of a workshop on illicit trafficking in firearms in Africa — has been accomplished through the above-mentioned Workshop held in Kampala from 11 to 13 June 2001. The Workshop, attended by 31 senior government representatives from 25 African countries, analysed the survey, which it found to be very relevant and useful to countries' needs, and endorsed the proposal for the establishment of a firearms centre.

14. As a follow-up action, the Institute is in the process of organizing a training activity on illicit firearms trafficking in Africa, as requested by the Workshop.

15. The Institute, in partnership with subregional groupings of member States and in close cooperation with certain concerned civil society organizations, has been involved in implementing subregional initiatives and priorities undertaken towards responding to vital national security concerns and finding practical solutions and support with respect to the problem of illicit proliferation, circulation and trafficking in small arms and light weapons. The Institute provided resource persons for the following activities:

(a) An international consultation meeting on illicit proliferation, circulation and trafficking in small arms and light weapons of the secretariats of African regional organizations, United Nations agencies and non-governmental organizations, held in Addis Ababa on 22 and 23 June 2000;

(b) A follow-up expert meeting of the Nairobi Declaration on the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa to draw up a subregional agenda for action to tackle illicit proliferation of small arms and light weapons, held in Nairobi from 6 to 8 November 2000, attended by government officials and agencies operating in this field;

(c) A preparatory government experts meeting for an OAU ministerial meeting on illicit proliferation,

circulation and trafficking in small arms and light weapons, held in Bamako from 27 to 29 November 2000;

(d) A seminar on enhancing legal controls on the possession and transfer of small arms and light weapons in the Great Lakes Region and the Horn of Africa, held in Nairobi on 12 and 13 February 2001. This seminar, which was attended by government officials from 11 member countries of the subregion, involved police, customs and immigration personnel. The cooperating agencies include the Intergovernmental Authority for Development, the Institute for Security Studies of South Africa, the Security Research and Information Centre, based in Kenya, and Saferworld of the United Kingdom. These cooperating agencies, (UNAFRI being one of them) undertake studies, organize seminars and workshops and offer advisory services;

(e) A meeting of experts of cooperating agencies to elaborate a draft protocol against the illicit proliferation, circulation and stocking of small arms and light weapons for countries of the Great Lakes Region and the Horn of Africa, held in Nairobi on 23 May 2001;

(f) A seminar organized by the World Customs Organization for heads of East and Southern Africa, customs enforcement services on the fight against trans-network organized crime, held in Nairobi from 29 May-1 June 2001.

16. The Institute is still seeking sponsors of its project proposal on action against corruption for West African countries, which will be co-sponsored by the Government of Guinea.

D. Other activities

17. The Institute participated in a number of regional, subregional and international meetings and seminars organized in different parts of the world. Such participation was used to establish new contacts and enhance awareness of the Institute, its mission and function, as well as to explore funding opportunities.

18. Staff members of the Institute participated as resource persons in locally organized seminars and workshops on crime and justice, and provided technical assistance and support to local initiatives in crime prevention; the treatment of offenders, including their social rehabilitation; the promotion of the observation of human rights; and the establishment of community service. At the same time, the Institute cooperated with universities in developing curricula on criminal justice administration and research in criminal justice.

III. International cooperation and partnership

19. The Institute continued to enjoy a close working relationship with the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat and other institutes of the United Nations Crime Prevention and Criminal Justice Programme network. UNAFRI has continued to participate in the coordination meetings of the network, including the annual conference of the Programme's International Scientific and Professional Advisory Council.

20. The Institute participated in a workshop on prison population organized by the network, held in Vienna on 10 May 2001, and presented a paper on prisons in Africa. The workshop was held on the occasion of the tenth session of the Commission on Crime Prevention and Criminal Justice.

21. Overall, the Institute is continually establishing and consolidating contacts and linkages with institutions, agencies and other relevant training and research centres as a means of achieving its goals. In this regard, the Institute and the African Regional Centre for Peace and Disarmament, based in Lomé, are discussing possible cooperation and arrangements with regard to the issues of conflict resolution, the proliferation of arms, and crime and security.

IV. Funding and support

22. The total resources of the Institute for the period 2000 to 2001 amounted to US$ 593,529.82. The funds were derived from (a) assessed contributions from Member States (US$ 29,675.57); (b) the 2000 portion of the United Nations grant (US$ 190,100); (c) grant for specific projects (US$ 322,391.12) and (d) other income received from rental of Institute premises/facilities and interest on deposits (US$ 51,363.13).

A. Assessed financial contributions of member States

23. The Governments of Kenya, Sudan, Tunisia and Uganda paid their assessed contributions for the period 2000-2001, which amounted to US$ 29,675.57. The outstanding balance in assessed financial contributions of member States is immense. As of 31 July 2001, of the total assessed contributions of US$ 3,057,416 for the period 1989-2001, only US$ 402,949.47 had been received, leaving an outstanding balance of US$ 2,654,466.53. The Institute continued its efforts to mobilize member States' contributions.

B. United Nations

24. The United Nations grant to the Institute, which has continued since the biennium 1992-1993, is providing a critical and reliable basis for the existence of the Institute. The General Assembly, by its resolution 54/249 of 23 December 1999, increased the grant to the Institute for the biennium 2000-2001 to US$ 380,300. The increase of US$ 175,500 enabled the Institute to reinstate the three posts of Research and Policy Development Adviser, Training Adviser and Information/Documentation Adviser, which had hitherto been frozen in 1995 after the termination of United Nations Development Programme (UNDP) funding to the Institute. The grant therefore covered the salaries of the Director, Deputy Director, Research Adviser, Training Adviser, Information/Documentation Adviser, Administrative/Finance Officer and other administrative expenses during the biennium 2000-2001.

C. Grants for funded projects

25. The Institute continued to administer the funds donated to implement the two projects funded by the Government of the United States. During the month of November 1999, the final phase of the extradition and mutual legal assistance project, as originally designed, was completed. However, the Institute proceeded to administer the balance of US$ 75,821.51 on the extradition project for continued updating of the database and follow-up of OAU legal experts and ministerial meetings relating to the consideration by OAU of the draft African conventions on extradition and mutual legal assistance. With regard to the illicit trafficking in firearms in Africa project, the Institute had, at the beginning of 2000, a balance of US$ 246,586.61, which enabled it to organize an expert group meeting in January 2000, to conduct a regional survey, and later in June 2001 to organize a regional workshop to discuss the outcome of the survey, with concrete proposals for establishing an African firearms centre.

D. Other sources of income

26. The Institute continued to rent out its facilities to generate income to offset administrative expenses; this initiative generated income amounting to US$ 51,363.13.

27. The sixth ordinary session of the Governing Board, which was held in Kampala on 29 and 30 May 2000, expressed its appreciation to the General Assembly for its grant to UNAFRI, which has continued to be a sure source of its funding. The Board noted that UNAFRI salary scales had been determined by the Board at its inaugural session in June 1989, and considered that the scales should be reviewed in order to bring them in line with the scales of other comparable regional bodies, thus enabling UNAFRI to attract and retain suitably qualified and competent personnel. The Board requested the secretariat of UNAFRI to prepare a paper on the emoluments and other benefits of staff and submit it to the Board at its next session.

28. The secretariat of UNAFRI will submit a paper on the emoluments and other benefits of staff to the Board at its next session, scheduled to be held in the last quarter of 2001.

V. Strategies for sustaining the Institute

29. In its resolution 55/62, the General Assembly commended the Institute for its efforts to promote and coordinate regional technical cooperation activities related to crime prevention and criminal justice. At the same time, the Secretary-General was requested to intensify efforts to mobilize all relevant entities of the United Nations system to provide the financial and technical support and make concrete proposals, including the provision of additional core staff, in order to strengthen the programmes and activities of the

Institute, and to report thereon to the General Assembly at its fifty-sixth session.

30. As a follow-up, the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention and the Economic Commission for Africa (ECA) stepped up efforts to mobilize the entities of the United Nations system to provide financial and technical support to UNAFRI to ensure its continuity and vitality. In addition, both the Centre for International Crime Prevention and ECA continued, whenever feasible, to provide technical back-stop assistance to facilitate the effective operations of the Institute given its financial difficulties. At the same time, the Institute, in consultation with the Centre for International Crime Prevention, has made useful positive contacts with the UNDP Bureau for Africa at United Nations Headquarters and the UNDP Thematic Trust Fund, also at Headquarters, with the United Nations Fund for International Partnerships exploring probable areas of technical cooperation. In this regard, follow-up consultations are in progress relating to the identification of clear and focused, areas of probable joint partnership cooperation with respect to those entities' programme frameworks. Similarly, since crime is a major impediment to sustainable development, further cooperation with ECA is envisaged in the latter implementation of its regional cooperation for development. However, positive and concrete outcomes of those continuing consultations are likely to be realizable during 2002.

31. In the meantime, UNAFRI is consulting the Centre for International Crime Prevention with regard to developing meaningful cooperation with the strategy of the Office for Drug Control and Crime Prevention for Africa, focusing on the role of UNAFRI in the strategy. UNAFRI is also exploring establishing close cooperation with the United Nations Children's Fund with a view to playing a more active advocacy role in the field of juvenile justice, drawing on the relevant United Nations standards and norms. An additional key measure towards the sustenance of the Institute is strengthening further its cooperation with the Centre for International Crime Prevention, in the context of the implementation of the recommendations and decisions of policy-making bodies and the execution of technical assistance projects.

32. At the same time, UNAFRI continued to elaborate the various projects it had devised for probable funding support by the entities of the United Nations system and other donor agencies, including on the issues of prison conditions and human rights; crime and AIDS; juvenile justice; conflict resolution; governance; crime and justice; victimization surveys; trafficking in women and children; monitoring of illicit arms and the arming of children, with particular reference to justice and reconciliation; sustainable development and crime.

33. It should also be noted that during the reporting period the Institute has intensified its efforts to mobilize the requisite resources to strengthen its capacity, so as to transform itself into a viable mechanism that provides timely assistance to the African countries. The number of initiatives and joint projects in which UNAFRI was involved attest to the focusing of its activities on an integrated approach to security, development and conflict management at the subregional and regional levels.

34. By way of example, the Institute's successful implementation of its project on illicit trafficking in firearms in Africa has drawn the attention of many agencies to the central role that the Institute is providing in useful research services and expertise in tackling the problem of proliferation and circulation of small arms. A positive development in this respect was the contact and anticipated concomitant future cooperation, including joint activities, with the Regional Centre for Peace and Disarmament. In this connection, the Centre and UNAFRI held a formulation workshop, involving other active actors, on adopting a curriculum for training of trainers in small arms control in the Great Lakes and Horn of Africa subregion, in Nairobi in July 2001.

35. Furthermore, the Institute is undertaking a realistic review of its internal organization with the aim of improving its effectiveness and efficiency as a specialized provider of regional services. To this end, a strategic plan for the Institute is being developed that will be owned by member States of the African continent and will articulate a medium-term strategy and work plan (2001-2004), with well-focused priority areas, strategic objectives and achievable targets. Hopefully, by implementing this strategic plan, it is expected that the Institute will not only receive more substantive support from its member States but also deliver on the promises and expectations that led to its establishment.

36. In this connection, it should also be noted that the General Assembly has reiterated the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries. Accordingly, if the Institute is to continue delivering its services to member States of the African region, it will require a more stable financial basis so as to avoid being restricted by its current deficient capacity.